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DYNEX DESIGN SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DYNEX DESIGN SOLUTIONS, INC.,

Case No. C-06-02787-CRB

Plaintiff.

V.

AXIOM DESIGN AUTOMATION, INC.

**STIPULATION AND [PROPOSED]
ORDER CONTINUING DEADLINE TO
FILE AMENDED PLEADINGS**

Date of Filing: April 24, 2006
Trial Date: None set

Defendant.

Defendant.

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**STIPULATION AND ORDER CONTINUING
DEADLINE TO FILE AMENDED
PLEADINGS**

CASE NO. C-06-02787-CRB

1 **WHEREAS**, Plaintiff Dynetix Design Solutions, Inc. (“Dynetix”) filed a Complaint for
 2 Patent Infringement on or about April 24, 2006, against Defendant AXIOM Design Automation,
 3 Inc. (“AXIOM”);

4 **WHEREAS**, Plaintiff served Defendant with the Complaint on or about August 11, 2006;

5 **WHEREAS**, Defendant filed an Answer and Counterclaims on or about August 31, 2006;

6 **WHEREAS**, the parties have agreed to mediate the dispute and mediation is scheduled
 7 for October 24, 2006;

8 **WHEREAS**, AXIOM intends to file amended counterclaims adding additional parties and
 9 claims relating to events that occurred after its original counterclaims were filed;

10 **WHEREAS**, Dynetix anticipates filing an amended complaint naming additional parties;

11 **WHEREAS**, the deadline to file amended pleadings naming additional parties is currently
 12 set for October 5, 2006;

13 **WHEREAS**, the parties agree that mediation and settlement discussions would be
 14 facilitated by AXIOM and Dynetix waiting until after mediation to file their amended
 15 counterclaims and complaint, respectively;

16 **WHEREAS**, in the event that the parties are unable to resolve this dispute through
 17 mediation, the parties agree to stipulate to leave of court for each opposing party to file their
 18 respective amended counterclaims and complaint after mediation;

19 **WHEREAS**, the parties agree to extend the deadline until November 1, 2006 to file their
 20 respective amended counterclaims and complaint naming additional parties and adding additional
 21 claims, if any;

22 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties, through
 23 their respective attorneys of record, as follows:

24 1. The deadline to file amended pleadings naming additional parties shall be
 25 continued from October 5, 2006 to November 1, 2006;

26 2. In the event that mediation is not successful, Dynetix shall stipulate to leave of
 27 court for AXIOM to file amended counterclaims naming additional parties and adding claims;

28 3. In the event that mediation is not successful, AXIOM shall stipulate to leave of
 STIPULATION AND ORDER CONTINUING
 DEADLINE TO FILE AMENDED
 PLEADINGS

1 court for Dynetix to file an amended complaint naming additional parties.

2 **IT IS SO STIPULATED.**

3 FENWICK & WEST LLP

5 Date: October 5, 2006

6 By: /s/ Bryan A. Kohm
Bryan A. Kohm

7 ATTORNEYS FOR DEFENDANT
8 AXIOM DESIGN AUTOMATION, INC.

9 SCHEIN & CAI LLP

10 Date: October 5, 2006

11 By: /s/ James Cai
James Cai

12 ATTORNEYS FOR PLAINTIFF
13 DYNETIX DESIGN SOLUTIONS, INC.

14 **GOOD CAUSE APPEARING, IT IS SO ORDERED.**

15 Dated: October 06 2006

16 By: _____
17 The Honorable Judge Charles R. Breyer

